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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,507	06/05/2001	Robert Stanley Arling	10010130-1	5883

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

AL HASHEMI, SANA A

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,507

Applicant(s)

ARLING, ROBERT STANLEY

Examiner

Sana Al-Hashemi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Status:

Applicant's arguments filed 8/25/2003 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bosch (US Patent No. 6,519,601) in view of Lancelot et al. (US Patent No. 6,434,531).

1. Regarding Claims 1, 8, 9, 16, 17, and 18, Bosch discloses a method of generating a medical¹ report, comprising:

displaying a plurality of non-patient specific pre-chosen findings in an abridged format and a separate medical report simultaneously on an electronic display, the medical report comprising a summary section (see Fig. 14, Bosch), Bosch does not teach the abridged format. However, referring to column 8, lines 35-40, Lancelot disclose the abridged format. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the

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method of abridged or abbreviated format with the motivation of allowing the use to access and display information and track different variance.

automatically copying electronically a respective pre-chosen finding selected from the pre-chosen findings into the summary section of the medical report (see column 28, lines 49-53, Bosch).

2. Regarding Claims 2, and 10, the combination of Bosch and Lancelot discloses a method wherein the medical report further comprises a plurality of group sections, and automatically copying electronically each pre-chosen finding into a group section of the plurality of group sections which corresponds to the pre-chosen finding (see Fig. 17, Bosch).

3. Regarding Claims 3, 6, 11, and 14 the combination of Bosch and Lancelot discloses a method further comprising:

receiving for a second time a selection of said respective pre-chosen finding from the displayed pre-chosen findings, the second selection of said respective pre-chosen finding being previously selected and copied into the summary section of the medical report (see Fig. 18, Bosch); and

automatically removing electronically the second selected respective pre-chosen finding from the summary section of the medical report (see Fig. 18, Cancel button, Bosch).

4. Regarding Claims 4, and 12, the combination of Bosch and Lancelot discloses a method further comprising selecting the pre-chosen findings from a list of available findings (see Fig. 20A step RI Bosch).

¹ Examiner did not give the term "medical" any patentability weight since it is regarded as an intended use

5. Regarding Claims 5, and 13, the combination of Bosch and Lancelot discloses a method further comprising

displaying on the electronic display an indicator next to the selected pre-chosen finding, separate from the medical report, so that specific information regarding the patient can be identified either from the display of the pre-chosen finding and identified in further detail in the medical report (see Fig. 20A, step 1, Bosch).

6. Regarding Claims 7, and 15, the combination of Bosch and Lancelot discloses a method wherein the copying further comprises converting the selected pre-chosen finding into a more descriptive form before copying into the summary section (see Fig. 20B, Bosch).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Response to Amendment

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection. However, the examiner responds to applicant's arguments that are directed to the originally claimed subject matter.

Applicant argues, "Bosch has absolutely no specific patient information regarding name, condition, etc,"

Examiner Disagrees. Referring to the summary of the invention column 5, Bosch clearly discloses the patient information, and medical report. Furthermore, the contested features are not claimed (i.e., name, condition)

Examiner noted applicant's argument "disagrees with footnote 1 in that the specifics regarding the data displayed are an intended use". Referring to Fig. 18, Bosch displays medical report.

Points of Contact

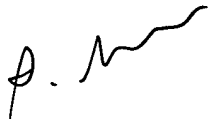
Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (703) 305-4881.

The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 746-9098. For formal or draft communications, please label

"PROPOSED" or "DRAFT". Hand-delivered response should be brought to

Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
September 3, 2003


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
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